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REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES**

(covering its work during 1995)

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CHAPTERS VII AND VIII

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** This document contains chapters VII and VIII of the Special Committee's report to the General Assembly. The general introductory chapter will be issued under the symbol A/50/23 (Part I). Other chapters of the report will be issued under the symbol A/50/23 (Parts II-III and V-VII). The complete report will be issued subsequently as Official Records of the General Assembly, Fiftieth Session, Supplement No. 23 (A/50/23).

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CHAPTER VII

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS

A. Consideration by the Special Committee

1. At its 1441st meeting, on 27 February 1995, by adopting the suggestions relating to the organization of its work put forward by the Chairman (A/AC.109/L.1828), the Special Committee decided, inter alia, to take up the above item separately and to consider it at its plenary meetings.

2. The Special Committee considered the item at its 1453rd meeting, on 16 August 1995.

3. In its consideration of the item, the Special Committee took into account the provisions of General Assembly resolution 49/41 of 9 December 1994 concerning implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations, in paragraph 22 of which, the Assembly requested the Committee to continue to examine the question and to report thereon to the Assembly at its fiftieth session. The Committee also took into account all other relevant resolutions adopted by the Assembly on this subject, including resolution 46/181 of 19 December 1991, endorsing the Plan of Action for the International Decade for the Eradication of Colonialism.

4. The Special Committee also took into account the provisions of resolution 1995/58 of the Economic and Social Council, adopted at its 48th plenary meeting, on 28 July 1995. In paragraph 15 of that resolution, the Council drew the attention of the Special Committee to the resolution and to the discussion held on the subject at the substantive session of 1995 of the Economic and Social Council (see E/1995/SR.57). Further, the Committee took into consideration the relevant documents of other intergovernmental bodies concerned, to which reference is made in the fourth preambular paragraph of the resolution it adopted on 16 August (see paras. 11 and 14).

5. During its consideration of the item, the Special Committee had before it a report of the Secretary-General (A/50/212 and Add.1), submitted in response to the request addressed to him by the General Assembly in paragraph 18 of resolution 49/41, containing information on action taken by the organizations of the United Nations system in the implementation of the resolutions of the United Nations referred to above.

6. At the 1453rd meeting, on 16 August, the Acting Chairman reported orally on his participation, on behalf of the Special Committee, in the work of the Economic and Social Council in connection with its consideration of the item during the Council's substantive session for 1995 (see A/AC.109/PV.1453).

7. At the same meeting, the Acting Chairman drew attention to the relevant documentation, including the report on the related consultations with the President of the Economic and Social Council under the terms of paragraph 20 of General Assembly resolution 49/41 (A/AC.109/L.1838 and E/1995/85), as well as to a draft resolution submitted by him (A/AC.109/L.1839).

8. Also, at the same meeting, the representative of the Russian Federation proposed oral amendments to draft resolution A/AC.109/L.1839, as follows:

(a) In operative paragraph 1, for "and endorses the observations" read "as well as of observations";

(b) In operative paragraph 4, delete "the Security Council".

9. Following statements by the representatives of Cuba, the United Republic of Tanzania, the Syrian Arab Republic, India and Indonesia, as well as by the Chairman (see A/AC.109/PV.1453), the representative of the Russian Federation withdrew his oral amendment to operative paragraph 1 (see para. 8 (a) above).

10. The Special Committee then approved the amendment to operative paragraph 4 (see para. 8 (b) above). The Committee also agreed to insert the word "Acting" before "Chairman" where appropriate.

11. The Special Committee then adopted draft resolution A/AC.109/L.1839, as orally amended, without a vote (see para. 14).

12. On 29 August, the text of the resolution (A/AC.109/2040) was transmitted to the Organization of African Unity (OAU), the South Pacific Forum, the Caribbean Community (CARICOM) and the specialized agencies and other organizations of the United Nations system. On the same date, the text of the resolution was transmitted to all States.

B. Decision of the Special Committee

13. The text of the resolution (A/AC.109/2040) adopted by the Special Committee at its 1453rd meeting, on 16 August 1995 (see para. 11), is reproduced in section C below, in the form of a recommendation of the Special Committee to the General Assembly.

C. Recommendation of the Special Committee

14. In accordance with decisions taken at its 1441st and 1442nd meetings, on 27 February and 10 July 1995, respectively, the Special Committee recommends to the General Assembly the adoption of the following draft resolution:

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

The General Assembly,

Having considered the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Having also considered the reports submitted on the item by the Secretary-General 1/ and the Chairman of the Special Committee on the Situation with

regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 2/

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item, 3/

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960, and resolutions of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as other relevant resolutions and decisions of the United Nations,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity, the South Pacific Forum and the Caribbean Community,

Conscious of the need to facilitate the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Welcoming the assistance extended to Non-Self-Governing Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Stressing that, because the development options of small island Non-Self-Governing Territories are limited, there are special challenges to planning for and implementing sustainable development and that those Territories will be constrained in meeting the challenges without the continued cooperation and assistance of the specialized agencies and other organizations of the United Nations system,

Stressing also the importance of securing necessary resources for funding expanded assistance programmes for the peoples concerned and the need to enlist the support of all major funding institutions within the United Nations system in that regard,

Reaffirming the mandates of the specialized agencies and other organizations of the United Nations system to take all the appropriate measures, within their respective spheres of competence, to ensure the full implementation of General Assembly resolution 1514 (XV) and other relevant resolutions,

Expressing its appreciation to the Organization of African Unity, the South Pacific Forum and the Caribbean Community, as well as other regional organizations, for the continued cooperation and assistance they have extended to the specialized agencies and other organizations of the United Nations system in this regard,

Expressing its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of assistance programmes to the peoples concerned,

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations decisions relating to decolonization,

Bearing in mind the extremely fragile economies of the Non-Self-Governing small island Territories and their vulnerability to natural disasters, such as hurricanes, cyclones and sea-level rise, and recalling its relevant resolutions,

Recalling its resolution 49/41 of 9 December 1994 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations,

1. Takes note of the report of the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on his consultations with the President of the Economic and Social Council 2/ and endorses the observations and suggestions arising therefrom; 4/

2. Recommends that all States intensify their efforts in the specialized agencies and other organizations of the United Nations system to ensure implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and other relevant resolutions of the United Nations;

3. Reaffirms that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the implementation of the Declaration and all other relevant General Assembly resolutions;

4. Reaffirms also that the recognition by the General Assembly and other United Nations organs of the legitimacy of the aspiration of the peoples of Non-Self-Governing Territories to exercise their right to self-determination entails, as a corollary, the extension of all appropriate assistance to those peoples;

5. Expresses its appreciation to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

6. Requests the specialized agencies and the international institutions associated with the United Nations, as well as regional organizations, to examine and review conditions in each Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories and strengthen existing measures of support, and to formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories, within the framework of their respective mandates, in order to accelerate progress in the economic and social sectors of those Territories;

7. Recommends that the executive heads of the specialized agencies and other organizations of the United Nations system formulate, with the active cooperation of the regional organizations concerned, concrete proposals for the full implementation of the relevant resolutions of the United Nations and submit the proposals to their governing and legislative organs;

8. Also recommends that the specialized agencies and other organizations of the United Nations system continue to review at the regular meetings of their governing bodies the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

9. Welcomes the continued initiative exercised by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations and in providing assistance to the peoples of Non-Self-Governing Territories;

10. Encourages Non-Self-Governing Territories to take steps to establish and/or strengthen disaster preparedness and management institutions and policies;

11. Requests the administering Powers concerned to facilitate the participation of appointed and elected representatives of Non-Self-Governing Territories in the relevant meetings and conferences of the agencies and organizations so that the Territories may benefit from the related activities of the specialized agencies and other organizations of the United Nations system;

12. Recommends that all Governments intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to ensure the full and effective implementation of resolution 1514 (XV) and other relevant resolutions of the United Nations and, in that connection, accord priority to the question of providing assistance to the peoples of the Non-Self-Governing Territories;

13. Requests the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

14. Commends the Economic and Social Council for its debate 5/ and its resolution 1995/58 of 28 July 1995 on this issue, and requests it to continue to consider, in consultation with the Special Committee, appropriate measures for coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

15. Requests the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

16. Requests the Secretary-General to transmit the present resolution to the governing bodies of the appropriate specialized agencies and international institutions associated with the United Nations so that those bodies take the necessary measures to implement the resolution, and also requests the Secretary-General to report to the General Assembly at its fifty-first session on the implementation of the present resolution;

17. Requests the Special Committee to continue to examine the question and to report thereon to the General Assembly at its fifty-first session.

Notes

1/ A/50/212 and Add.1.

2/ A/AC.109/L.1838.

3/ The present chapter.

4/ E/1995/85.

5/ See Official Records of the Economic and Social Council, 1995, Plenary Meetings, 57th meeting (E/1995/SR.57).

CHAPTER VIII

INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS

A. Consideration by the Special Committee

1. At its 1441st meeting, on 27 February 1995, by adopting the suggestions relating to the organization of its work put forward by the Chairman (A/AC.109/L.1828), the Special Committee decided, inter alia, to take up the above item separately and to consider it at its plenary meetings.

2. The Special Committee considered the item at its 1442nd meeting, on 10 July 1995.

3. In its consideration of the item, the Special Committee took into account the pertinent resolutions of the General Assembly concerning information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations and related questions, in particular resolution 1970 (XVIII) of 16 December 1963, in which the Assembly decided, inter alia, to dissolve the Committee on Information from Non-Self-Governing Territories and to transfer certain of its functions to the Special Committee, and paragraph 5 of resolution 49/39 of 9 December 1994, in which the Assembly requested the Committee to continue to discharge the functions entrusted to it under Assembly resolution 1970 (XVIII), in accordance with established procedures, and to report thereon to the Assembly at its fiftieth session. Further, the Committee took into account the relevant provisions of Assembly resolutions 49/89 of 16 December 1994 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and 45/33 of 20 November 1990 relating to the thirtieth anniversary of the Declaration.

4. At the 1442nd meeting, on 10 July, the Acting Chairman drew attention to draft resolution A/AC.109/L.1833 on the item.

5. At the same meeting, following statements by the representatives of India, the Syrian Arab Republic, the Russian Federation and Cuba, as well as by the Chairman (see A/AC.109/PV.1442), the Special Committee adopted draft resolution A/AC.109/L.1833 without objection (see para. 8).

6. On 24 July, the text of the resolution (A/AC.109/2032) was transmitted to the representatives of the administering Powers for the attention of their Governments.

B. Decision of the Special Committee

7. The text of the resolution (A/AC.109/2032), adopted by the Special Committee at its 1442nd meeting on 10 July 1995 (see para. 5), appears under section C in the form of a recommendation of the Special Committee to the General Assembly.

C. Recommendation of the Special Committee

8. In accordance with decisions taken at its 1441st and 1442nd meetings, on 27 February and 10 July 1995, respectively, the Special Committee recommends to the General Assembly the adoption of the following draft resolution:

Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations 1/ and the action taken by the Special Committee in respect of that information

Having also examined the report of the Secretary-General on the item, 2/

Recalling its resolution 1970 (XVIII) of 16 December 1963, in which it requested the Special Committee to study the information transmitted to the Secretary-General in accordance with Article 73 e of the Charter and to take such information fully into account in examining the situation with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960,

Recalling also its resolution 49/39 of 9 December 1994, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Stressing the importance of timely transmission by the administering Powers of adequate information under Article 73 e of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

1. Approves the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations; 1/

2. Reaffirms that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter, the administering Power concerned should continue to transmit information under Article 73 e of the Charter with respect to that Territory;

3. Requests the administering Powers concerned to transmit or continue to transmit to the Secretary-General the information prescribed in Article 73 e of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories;

4. Requests the Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

5. Requests the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII), in accordance with established procedures, and to report thereon to the General Assembly at its fifty-first session.

Notes

1/ The present chapter.

2/ A/50/458.